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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

2:15-cr-00036-JAD-CWH

Plaintiff,

vs.

STIPULATION FOR EXTENSION OF
GOVERNMENT'S TIME TO FILE
RESPONSE TO DEFENDANTS' PRETRIAL
MOTIONS

OSCAR HERNANDEZ-LOPEZ, et al.

(*First Request*)

Defendant.

IT is hereby stipulated and agreed by the United States of America, by and through DANIEL G. BOGDEN, the undersigned Assistant United States Attorney, Kimberly M. Frayn, Damian Sheets, Esq., counsel for Defendant OSCAR HERNANDEZ-LOPEZ, and Benjamin Durham, Esq., counsel for Defendant BRENDA BERNAL, that the Government will have an extension of time to file the Government's responses to: 1) Defendant Hernandez-Lopez's motion to suppress statement (doc. no. 38); 2) Defendant Brenda Bernal's motion to suppress statement (doc. no. 37); and 3) Defendant Brenda Bernal's motion to sever (doc. no. 36), to a date and time convenient to the Court, but not less than Thursday, December 24, 2015, for the following reasons:

1. The Government's responses are presently due to be filed on Monday, December 14, 2015. (Doc. No. The parties agree to the brief extension of time for the Government to file its responses, to wit: for approximately ten (10) days until Thursday, December 24, 2015. Government

1 counsel has only recently been assigned responsibility for this matter and needs additional time to
2 review the case prior to drafting the government's responses. Additionally, Government counsel has
3 been out of the district and was not aware that the Defendants' motions had been filed until she
4 returned to work on or about December 3, 2015. Accordingly, the Government needs an additional
5 ten (10) days to investigate, research and draft appropriate responsive pleadings. Although the
6 Defendants are both presently detained, defense counsel each indicated there is no objection to the
7 Government's request for a brief extension of time to respond.

8 2. The brief requested delay will not unduely prejudice the defendants and is not made
9 merely for purposes of delay, but to allow the Govenrment continuity of counsel. Granting of this
10 request will not affect the trial in this matter, which is presently set for February 22, 2015.

11 This is the first request to extend time for the Government to file its responses.

12
13 THEREFORE, the parties respectfully requests the Court to extend the Govenrment's time
14 to file its responses to: 1) Defendant Hernandez-Lopez's motion to suppress statement (doc. no. 38);
15 2) Defendant Brenda Bernal's motion to suppress statement (doc. no. 37); and 3) Defendant Brenda

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1 Bernal's motion to sever (doc. no. 36), to a date and time convenient to the Court, but not
2 less than Thursday, December 24, 2015.

3 DATED this 11th day of December, 2015.

4 DANIEL G. BOGDEN
5 United States Attorney

6 /s/ Kimberly M. Frayn
7 KIMBERLY M. Frayn
8 Assistant United States Attorney

9 /s/ Damian Sheets, Esq.
10 DAMIAN SHEETS, ESQ.
11 Counsel for Defendant Oscar Hernandez-Lopez

12 /s/ Benjamin Durham, Esq.,
13 BENJAMIN DURHAM, ESQ.
14 Counsel for Defendant Brenda Bernal

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

2:15-cr-00036-JAD-CWH

Plaintiff,

vs.

OSCAR HERNANDEZ-LOPEZ, et al.

Defendant.

ORDER

After considering the parties' stipulation agreeing to extend the Government's time to file the Government's responses to: 1) Defendant Hernandez-Lopez's motion to suppress statement (doc. no. 38); 2) Defendant Brenda Bernal's motion to suppress statement (doc. no. 37); and 3) Defendant Brenda Bernal's motion to sever (doc. no. 36), to a date and time convenient to the Court, but not less than Thursday, December 24, 2015, the Court hereby finds good cause to grant the Government's request.

THEREFORE, IT IS HEREBY ORDERED that the Stipulation For Extension Of Government's Time to File Responses to Defendants' Pretrial Motions is GRANTED and the Government shall file its responses before midnight on Thursday, December 24, 2015.



THE HONORABLE JUDGE CARL W. HOFFMAN
UNITED STATES MAGISTRATE COURT JUDGE

DATED: December 14, 2015